

DYDD IAU, 8 MEDI 2022

AT: HOLL AELODAU Y PWYLLGOR CYNLLUNIO

YR WYF DRWY HYN YN EICH GALW I FNYNCHU CYFARFOD O'R **PWYLLGOR CYNLLUNIO** A GYNHELIR YN Y **SIAMBR, NEUADD Y SIR, CAERFYRDDIN AC O BELL AM 10.00 YB DYDD IAU, 15 FED MEDI, 2022** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Wendy Walters

PRIF WEITHREDWR

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Cyfarfod aml-leoliad yw hwn. Gall aelodau'r pwyllgor fynychu'n bersonol yn y lleoliad a nodir uchod neu o bell drwy'r ddolen Zoom a ddarperir ar wahân.	
Gellir gwyllo'r cyfarfod ar wefan y cyngor drwy'r ddolen canlynol:- https://carmarthenshire.public-i.tv/core/portal/home	

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
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PWYLLGOR CYNLLUNIO
21 AELOD

GRŴP PLAID CYMRU- 11 Aelod

Cyng. Tyssul Evans (Cadeirydd)
Cyng. Mansel Charles
Cyng. Terry Davies
Cyng. Ken Howell
Cyng. Carys Jones (Is-Gadeirydd)
Cyng. Jean Lewis
Cyng. Denise Owen
Cyng. Dorian Phillips
Cyng. Russell Sparks
Cyng. Gareth Thomas
Cyng. Elwyn Williams

GRŴP LLAFUR - 6 Aelod

Cyng. Peter Cooper
Cyng. Michelle Donoghue
Cyng. Nysia Evans
Cyng. John James
Cyng. Edward Skinner
Cyng. Michael Thomas

GRŴP ANNIBYNNOL - 2 Aelod

Cyng. Sue Allen
Lle Gwag

HEB GYSYLLTIAD 2 Aelod

Cyng. John Jenkins
Lle Gwag

A G E N D A

- 1. YMDDIHEURIADAU AM ABSENOLDEB**
- 2. DATGAN BUDDIANNAU PERSONOL**
- 3. PENDERFYNU AR GEISIADAU CYNLLUNIO** 5 - 50
- 4. LLOFNODI YN GOFNOD CYWIR GOFNODION Y CYFARFOD A GYNHALIWDYD AR 18FED AWST 2022** 51 - 54

Mae'r dudalen hon yn wag yn fwriadol

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Adran yr Amgylchedd**

**Report of the Head of Place
and Sustainability
Environment Department**

15/09/2022

**I'W BENDERFYNU
FOR DECISION**

Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	15 SEPTEMBER 2022
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/00296	Construction of the western portion of a temporary access track required for a temporary period in connection with the implementation of the holiday lodge development as approved by outline planning permission W/24265 (as amended by W/28608 and W/33378) and reserved matters approvals W/30157, W/33838 and W/34546 at land at Maes Y Deri Farm, Laugharne, SA33 5JA
W/40562	Construction of the southern portion of a temporary access track required for a temporary period in connection with the implementation of the holiday lodge development as approved by outline planning permission W/24265 (as amended by W/28608 and W/33378) and reserved matters approvals W/30157, W/33838 and W/34546 at land at Laugharne Park Estate, Cliff Road, Laugharne, SA33 4QP
W/40561	Construction of the northern portion of a temporary access track required for a temporary period in connection with the implementation of the holiday lodge development as approved by outline planning permission W/24265 (as amended by W/28608 and W/33378) and reserved matters approvals W/30157, W/33838 and W/34546 at land at Laugharne Park Estate, Cliff Road, Laugharne, SA33 4QP

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
PL/04317	Local need dwelling at land adjacent to Pen Rhos, Llanelli, SA14 7HA

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/00296
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Application Type	Full planning permission
Proposal	Construction of the Western portion of a temporary access track required for a temporary period in connection with the implementation of the holiday lodge development as approved by outline planning permission W/24265 (as amended by W/28608 and W/33378) and reserved matters approvals W/30157, W/33838 and W/34546
Location	Land at Maes y Deri Farm, Laugharne, SA33 5JA

Applicant(s)	Seasons Holidays PLC
Agent	Lichfields
Officer	Charlotte Greves
Ward	Laugharne Township (Historical)
Date of validation	24/09/2020

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and was received prior to the recent changes in the scheme of delegation approved in February 2022.

Site

The application relates to the western most section of an access track which has been constructed from the A4066 approximately 1km north of Laugharne, serving Maesyderi Farm. This section of track extends from Maesyderi to the crest of the hill that sits to the east of the farm where it then continues from the end of the existing hardstanding to the eastern corner of the hilltop field, where it turns 90 degrees, passes through a hedgerow and descends to the corner of the unclassified highway (the U6621) to the north east of the property known as Glenview.

Separate applications have been submitted covering the remaining sections of access track which are referred to as the northern section (planning application reference W/40561) and southern section (planning application reference W/40562).

Proposal

Full planning permission is sought in retrospect for a section of access track which is required for a temporary period in order to facilitate the movement of HGV and construction related vehicles to gain access to the Dylan Coastal Resort development, and in particular for the delivery of lodges. These vehicles are required throughout the demolition and construction of the different phases of the development which have the benefit of existing planning permissions.

The lodges arrive pre-assembled and are not constructed on site and this section of track, together with two further sections of track which are the subject of planning applications W/40561 and W/40562, are required to ensure sufficient turning space and road widths to allow for large delivery vehicles to access the relevant parts of the Dylan Coastal Resort.

The track has been constructed by stripping of topsoil along the alignment to a depth of approximately 250 mm to create the formation level, from which the road was then constructed. The topsoil was then exported to the road verge banked and battered on the high side and graded into the field together with the installation of appropriate drainage.

A geotextile membrane was placed on the formation layer prior to placement of any track construction material. It is stated that this was undertaken in order to facilitate the easy removal of the track once its useful and permitted life was complete. The road construction comprises a 200 mm thickness of sub-grade course placed on top of the geotextile membrane. A 150 mm thick capping wearing course of type 1 aggregate was then used to create the trafficable surface. The material used to create the layers of construction were sourced from hardcore already available on-site and comprised of both crushed stone and secondary aggregate.

The works to create the tracks were undertaken between late 2019 to mid 2020. The application is therefore entirely in retrospect. The applicant has advised that the tracks would only be required during the demolition and construction phase which it is anticipated would be completed in late 2029. Following that the tracks would be decommissioned.

Planning Site History

Whilst there is no relevant planning history relating to the specific application site, the development is linked to the extant planning permission at the Dylan Coastal Resort, the application details of which are set out below:

Outline Planning Permissions

W/24265 - DEVELOPMENT OF UP TO 212 HOLIDAY LODGES AND 48 SERVICED APARTMENTS (UP TO 26,529 SQM C1) AND UP TO 1709 SQM OF FLOORSPACE FOR ANCILLARY FACILITIES (A1, A3 AND D2) INCLUDING RECREATIONAL AND LEISURE FACILITIES - Outline Granted – 5th January 2012

The above application was varied by:

W/28608 - AMEND PLANNING CONDITION NUMBERS 2, 3, 5, 8, 9, 13, 14, 15, 21, 22 AND 25 TO FACILITATE THE PHASED SUBMISSION OF RESERVED MATTERS AND OTHER DETAILS; REMOVE CONDITIONS 1 AND 24 AND REVISE CONSTRUCTION PHASE PLAN ALL IN RELATION TO DEVELOPMENT OF UP TO 212 HOLIDAY LODGES

AND 48 SERVICED APARTMENTS (UP TO 26,529 SQ M C1) AND UP TO 1,709 SQ M OF FLOOR SPACE FOR ANCILLARY FACILITIES (A1, A3 AND D2) INCLUDING RECREATION AND LEISURE FACILITIES (EXTANT PLANNING PERMISSION W/24265)
- Variation of Planning Condition Granted – 12th September 2013

The above application was varied by:

W/33378 - VARIATION OF CONDITIONS 1, 3, 4, 5, 14 AND REMOVAL OF CONDITIONS 9, 10, 11, 24, 25, 26 ON W/28608 - Variation of Planning Condition Granted – 10th May 2016

Discharge of Condition Applications

W/34759 - DISCHARGE OF CONDITION 5, 8 AND 14 ON W/33378 (ARCHAEOLOGICAL WORKS, ENVIROMENTAL PROTECTION, TREE PROTECTION)

Reserved Matters Approvals and Conservation Area Consent

W/30157 - RESERVED MATTERS APPLICATION FOR PHASE 1A OF THE DEVELOPMENT AT LAUGHARNE PARK. PHASE 1A COMPRISES A TOTAL OF 24 LODGES, INCLUDING 21 REFURBISHED HOLIDAY LODGES AND 3 NEW HOLIDAY LODGES TO BE BUILT FOLLOWING THE DEMOLITION OF 2 EXISTING UNITS – Reserved Matters Granted – 19th June 2014

W/33838 - CONSTRUCTION OF TWO STOREY CLUBHOUSE BUILDING AND ASSOCIATED CAR PARK (PHASE B) (RESERVED MATTERS APPROVAL) - Reserved Matters Granted - 23rd November 2016

W/34559 - DEMOLITION OF THE HOLIDAYS UNITS AND ANCILLARY BUILDINGS – Conservation Area Consent Granted - 29th March 2017

W/34594 –RESERVED MATTERS APPROVAL FOR THE FOLLOWING PHASE OF THE APPROVED OUTLINE APPLICATION W/33378. PHASE D2 - DEMOLITION OF THE BUILDING PREVIOUSLY KNOWN AS HARBOUR BAR AND IMPLEMENTATION OF 3 HOLIDAY LODGES – Reserved Matters Approval - 29th March 2017

W/34546 - RESERVED MATTERS APPROVAL FOR THE FOLLOWING PHASES OF THE APPROVED OUTLINE APPLICATION W/33378. PHASE C - RECEPTION BUILDING, ASSOCIATED HOUSEKEEPING BLOCK AND SERVICE YARD. PHASE D1 - DEMOLITION OF THE BUILDING PREVIOUSLY KNOWN AS MARYS HOUSE AND CONSTRUCTION OF 6 HOLIDAY UNITS. PHASE D2 - DEMOLITION OF THE BUILDING PREVIOUSLY KNOWN AS HARBOUR BAR AND IMPLEMENTATION OF 3 HOLIDAY LODGES. PHASE E - IMPLEMENTATION OF 120 HOLIDAY LODGES – Reserved Matters Granted - 29th March 2017

Full Planning Permissions

W/34441 - NEW STONE CLADDING AND AMENDMENTS TO FENESTRATION OF HOLIDAY LODGE - 73/74 DYLAN'S DRIVE, LAUGHARNE PARK, CLIFF ROAD, LAUGHARNE, SA33 4SG – Full Planning Permission Granted - 21st September 2016

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 - Sustainable Places and Spaces

SP13 - Protection and Enhancement of the Built and Historic Environment

SP14 - Protection and Enhancement of the Natural Environment

GP1 - Sustainability and High Quality Design

EQ1 - Protection of Buildings, Landscapes and Features of Historic Importance

EQ4 - Biodiversity

EQ5 - Corridors, Networks and Features of Distinctiveness

EQ6 - Special Landscape Areas

TR3 - Highways in Developments – Design Considerations

EP2 - Pollution

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways - Awaiting formal comments.

Laugharne Township – Object to the proposal and their response is summarised as follows:-

- Concern regarding the lack of construction detail and in particular road junctions and drainage issues.
- Environmental and heritage impact of the road.
- Concern that the tracks were constructed without the necessary planning permission in place first.
- Impact on trees.
- Burning of toxic waste.
- Works carried out at the main access to the site without planning permission.
- Concern that conditions on the existing planning permissions have not been complied with/discharged prior to the construction/occupation of the approved chalets.

Local Member(s) – Councillor Jane Tremlett has made no prior comment.

Cadw – No objection.

Dyfed Archaeological Trust – No objection.

Natural Resources Wales – No objection.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of a site notice. 2 letters of representation were received objecting to the development on the following grounds:-

- Impact upon the character and appearance of the countryside.
- Visual and landscape impact.
- Impact on nature conservation, loss of trees and hedgerows.
- Impact on a Scheduled Ancient Monument.
- Pressure on services and local roads.
- Impact on highway safety.
- Impact on residential amenity.
- Impact on Listed Buildings and Laugharne Conservation Area.
- Concern that the development of the tracks is to facilitate the further expansion of the holiday park.

All representations can be viewed in full on our [website](#).

Appraisal

The main considerations of this case are whether there is justification for the development given its location within the countryside, its impact upon the countryside, landscape and nature conversation, pollution impacts, the impacts upon the living conditions of nearby residents, impact upon the historic environment and highway safety.

Impact upon Highway Safety

It was originally intended that the existing highway access serving the resort (off Cliff Road) would be used to access the site for construction and delivery purposes however this has now been surveyed and the subject of a transport route appraisal and is considered unsuitable due to its narrow width. Modelling of the existing access arrangement against the space requirements of the delivery vehicles, has determined that it is unfeasible for the construction vehicles to gain access via the originally planned route and this is supported by a temporary access route appraisal that has been submitted in support of the applications.

The proposed tracks are therefore deemed to be required to create alternative access arrangements to facilitate the delivery of the lodges. It is estimated that the lodges will be delivered at a rate of between 2 and 3 lodges per month during the off peak season between September and April each year. The tracks are required for a temporary period, specifically until the delivery of the final lodges which is anticipated in late 2029. The delivery of the first lodges commenced in September 2020 and 11 lodges were delivered between September 2020 and March 2021. A further 12 lodge deliveries were made between January and May 2022.

A delivery management plan has also been submitted in support of the planning application which the Highways department has initially advised they have no objection to having regard to highway safety and given the temporary nature of the tracks. The document will be included within the list of approved plans and documents condition to ensure that it is adhered to throughout the duration of the temporary period.

The proposal is therefore considered to accord with Policy GP1 and TR3 having regard to highway safety.

Impact on the Countryside, Landscape and Nature Conservation

The tracks have been constructed on existing agricultural land bisecting fields and resulting in the removal of sections of existing hedgerow within the Laugharne Special Landscape Area. Notwithstanding the above, the entire length of track is unable to be seen in its entirety from any public vantage points and there are sections which follow lines of previous agricultural tracks and hedgelines which does help to limit the landscape and visual impact.

The arboricultural impact assessment submitted with the application sets out where sections of hedgerow have been removed (approximately 17m), root protection areas have been breached and where new earth banks with hedgerow planting (approximately 685m comprising 2000 hawthorn plants and 1500 blackthorn plants) have been formed to offer some mitigation in terms of the habitat loss and landscape impacts that have resulted from the removed hedging. The assessment also contains a method statement and tree protection plan together with recommended conditions that are required to help reduce any tree and hedgerow impacts.

It is considered that whilst the development has resulted in adverse landscape and visual effects and ecological impacts, which have already, in part, been mitigated by the planting of new sections of hedgerow, it is considered that, on balance, the track is acceptable insofar as it is required for a temporary period and is not proposed to be a permanent feature. A condition will be included in any planning permission that requires a restoration scheme to be submitted to the Local Planning Authority prior to the end of the temporary period and following which the land is to be restored to its former condition in accordance with the restoration scheme.

The application is therefore considered to be acceptable having regard to Policy SP1, SP14, GP1, EQ4, EQ5 and EQ6.

Pollution Impacts

The application is supported by an Environmental Assessment carried out by Yellow Sub Geo which assesses impacts of the track upon the Taf Estuary Special Scientific Interest (SSSI) /Carmarthen Bay and Estuaries Special Area of Conservation (SAC) and in particular any pollution of controlled waters.

The report finds that there are no meaningful links between the tracks and the SSSI and SAC and as such the risks of pollution and impacts upon protected sites are therefore either very low or negligible. The report recommends that certain precautions are followed moving forward to ensure that this remains the case and as such the report will be included in the approved plans and documents condition to ensure that the recommendations are adhered to for the duration of the temporary period.

The proposal is therefore considered to accord with Policy GP1 and EP2 having regard to pollution impacts.

Living Conditions of Neighbouring Occupiers

The tracks have been constructed on agricultural land and the proposed access route, which is required to facilitate the movement of vehicles associated with the development, is not sited in such close proximity to neighbouring dwellings that there would be a significant adverse impact upon their living conditions. In addition the Delivery Management Plan submitted in support of the application states that the delivery of the lodges associated with the Dylan Coastal resort redevelopment is to take place at a controlled rate of approximately 2 – 3 per month between the months of September and April which would result in any adverse impacts being relatively infrequent and in any event any such impacts would cease at the end of the temporary period and when the development is completed. It is also considered that the alternative route through Laugharne and Victoria Street would have a greater impact on living conditions of the town's residents.

The proposed development is therefore considered to comply with the relevant criterion of Policy GP1 having regard to the amenity and living conditions of neighbouring occupiers.

Impact upon the Historic Environment

A Historic Environment Desk-Based Assessment produced by HCUK has been submitted in support of this application. This assessment concludes that it is possible that archaeological remains could have been exposed, damaged or destroyed by the works, but that the overall extent of this is relatively small. The report considers the trackway to have had a slight negative impact on scheduled standing stones (CM054, CM143, CM146 and CM310) and a negligible impact on Iron Age enclosure (CM232), medieval churches (CM280 and CM144) and Trefenty motte and bailey castle (CM144). The impact on the Registered Historic Landscape is also assessed to be negligible.

The report has also concluded that the access track does not have a significant impact on the setting of any scheduled monument and Cadw, who has also been consulted on the proposal are in agreement with this assessment.

The Council's built heritage officers have also reviewed proposed and have commented that the proposed access track would not directly impact the setting of any listed building or the adjacent Laugharne Conservation Area and as such they have no adverse observations.

The application is therefore considered to accord with Policy SP13, GP1 and EQ1 of the Carmarthenshire Local Development Plan adopted December 2014.

Other Matters

There are a number of Public Rights of Way within the vicinity of this track development. However in terms of this western section there has been no direct impacts or obstruction caused to the nearest footpaths (22/4 and 22/3) as a result of the track's construction. The Countryside Access team has been consulted regarding the proposed development and has raised no objection.

Concerns and objections raised by third parties and the Laugharne Township have largely been addressed in the preceding sections of the report and since these representations were received a number of supporting documents have been received from the applicant which seek to address the key issues associated with the proposed developments. However a number of the representations received raise concerns that the tracks are not intended to

be temporary and are instead to facilitate the future expansion and development of the Dylan Coastal Resort. Each application must be considered on its own merits and in this case, the applications clearly state that the tracks are required for a temporary period and any planning permissions would contain conditions to this effect. Concerns raised regarding compliance with the existing planning permissions and any works outside these applications which are alleged to have been carried out without the necessary planning permissions would be a separate matter to be investigated by planning enforcement.

Concerns regarding the burning of toxic waste on or near the applications sites for the tracks is a matter for Public Protection as opposed to a material planning issue. The Council's Public Protection section has been consulted on the current proposals and has raised no objection.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies. The recommendation is therefore one of approval subject to the below conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

The development hereby approved shall cease to be used and removed from the land in its entirety and the land shall be restored to its former condition on or before 31st December 2029 in accordance with a detailed restoration scheme of work submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this permission. The restoration scheme shall include full details of the restoration of the site including reinstatement of hedgelines, restoration of original field boundaries, reinstatement of highway boundaries and full details of the removal of the surfaced area of the track and restoration of the land to original ground conditions.

Reason: Required to be imposed pursuant to Section 72 of the Town and Country Planning Act 1990 (as amended).

Condition 2

Any new planted or seeded elements implemented in accordance with the approved restoration scheme required by Condition 1 which, within 5 years are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

Reason: To ensure that the development reinstates existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5.

Condition 3

The development shall be carried out in accordance with the following approved plans and documents:-

- Location Plan IL61676/01-011 RevA,
- Access Track IL61676/01-012, received 9th June 2020;
- Technical Note – Temporary Access Route Appraisal by GTS,
- Arboricultural Impact Assessment and Method Statement by Tree Consultants Wales,
- Environmental Assessment by Yellow Sub Geo, received 4th August 2021;
- Historic Environment Desk Based Assessment by HCUK group, received 16th August 2021;
- Delivery Management Plan by GTS, received 18th May 2022.

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

Only vehicles required to be used for the construction of the development known as the Dylan Coastal Resort as detailed in the Delivery Management Plan by GTS received 18th May 2022 and agricultural vehicles used in association with the agricultural holdings crossed by the tracks, shall utilise the tracks hereby approved.

Reason: In the interest of highway safety and residential amenity to accord with Policy GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 5

No further excavation shall take place nor materials be stored within the Root Protection Areas of any trees or hedgerows as identified within the Arboricultural Impact Assessment and Method Statement by Tree Consultants Wales received 4th August 2021.

Reason: To ensure that existing trees and landscape elements of suitable quality and condition are retained and effectively accommodated and protected as part of approved development in accordance policies SP1, SP14, GP1 and EQ5 of the Carmarthenshire Local Development Plan 2014.

Condition 6

Any access gates shall be set back a minimum distance of 5 metres from the highway boundary, and shall open inwards into the site only.

Reason: In the interests of highway safety and to accord with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 7

Within 3 months of the date of this permission, the public right of way signage shall be reinstated in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and to accord with Policy TR3 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

Note 1

Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Note 2

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Application No	W/40562
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Application Type	Full planning permission
Proposal	Construction of the southern portion of a temporary access track required for a temporary period in connection with the implementation of the holiday lodge development as approved by outline planning permission W/24265 (as amended by W/28608 and W/33378) and Reserved Matters approvals W/30157, W/33838 and W/34546
Location	Land at Laugharne Park Estate, Cliff Road, Laugharne, SA33 4QP

Applicant(s)	Seasons Holidays Plc
Agent	Lichfields - Mr Owain Nedin
Officer	Charlotte Greves
Ward	Laugharne Township (Historical)
Date of validation	12/05/2020

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and was received prior to the recent changes in the scheme of delegation approved in February 2022.

Site

The application relates to the southern section of an access track that has been created across two fields that straddle a hilltop to the north of Laugharne. The southern of these two fields lies adjacent to the northern edge of the Dylan Coastal Resort which is currently undergoing redevelopment.

Separate applications have been submitted covering the remaining sections of access track which are referred to as the northern section (planning application reference W/40561) and western section (planning application reference PL/00296).

Proposal

Full planning permission is sought in retrospect for a section of access track which is required for a temporary period in order to facilitate the movement of HGV and construction related vehicles to gain access to the Dylan Coastal Resort development, and in particular for the delivery of lodges. These vehicles are required throughout the demolition and construction of the different phases of the development which have the benefit of existing planning permissions.

The lodges arrive pre-assembled and are not constructed on site and this section of track, together with two further sections of track which are the subject of planning applications W/40561 and PL/00296, are required to ensure sufficient turning space and road widths to allow for large delivery vehicles to access the relevant parts of the Dylan Coastal Resort.

The track has been constructed by stripping of topsoil along the alignment to a depth of approximately 250 mm to create the formation level, from which the road was then constructed. The topsoil was then exported to the road verge banked and battered on the high side and graded into the field together with the installation of appropriate drainage.

A geotextile membrane was placed on the formation layer prior to placement of any track construction material. It is stated that this was undertaken in order to facilitate the easy removal of the track once its useful and permitted life was complete. The road construction comprises a 200 mm thickness of sub-grade course placed on top of the geotextile membrane. A 150 mm thick capping wearing course of type 1 aggregate was then used to create the trafficable surface. The material used to create the layers of construction were sourced from hardcore already available on-site and comprised of both crushed stone and secondary aggregate.

The works to create the tracks were undertaken between late 2019 to mid 2020. The application is therefore entirely in retrospect. The applicant has advised that the tracks would only be required during the demolition and construction phase which it is anticipated would be completed in late 2029. Following that the tracks would be decommissioned.

Planning Site History

Whilst there is no relevant planning history relating to the specific application site, the development is linked to the extant planning permission at the Dylan Coastal Resort, the application details of which are set out below:-

Outline Planning Permissions

W/24265 - DEVELOPMENT OF UP TO 212 HOLIDAY LODGES AND 48 SERVICED APARTMENTS (UP TO 26,529 SQM C1) AND UP TO 1709 SQM OF FLOORSPACE FOR ANCILLARY FACILITIES (A1,A3 AND D2) INCLUDING RECREATIONAL AND LEISURE FACILITIES - Outline Granted – 5th January 2012

The above application was varied by:

W/28608 - AMEND PLANNING CONDITION NUMBERS 2, 3, 5, 8, 9, 13, 14, 15, 21, 22 AND 25 TO FACILITATE THE PHASED SUBMISSION OF RESERVED MATTERS AND OTHER DETAILS; REMOVE CONDITIONS 1 AND 24 AND REVISE CONSTRUCTION PHASE PLAN ALL IN RELATION TO DEVELOPMENT OF UP TO 212 HOLIDAY LODGES

AND 48 SERVICED APARTMENTS (UP TO 26,529 SQ M C1) AND UP TO 1,709 SQ M OF FLOOR SPACE FOR ANCILLARY FACILITIES (A1, A3 AND D2) INCLUDING RECREATION AND LEISURE FACILITIES (EXTANT PLANNING PERMISSION W/24265)
- Variation of Planning Condition Granted – 12th September 2013

The above application was varied by:

W/33378 - VARIATION OF CONDITIONS 1, 3, 4, 5, 14 AND REMOVAL OF CONDITIONS 9, 10, 11, 24, 25, 26 ON W/28608 - Variation of Planning Condition Granted - 10th May 2016

Discharge of Condition Applications

W/34759 - DISCHARGE OF CONDITION 5, 8 AND 14 ON W/33378 (ARCHAEOLOGICAL WORKS, ENVIROMENTAL PROTECTION, TREE PROTECTION)

Reserved Matters Approvals and Conservation Area Consent

W/30157 - RESERVED MATTERS APPLICATION FOR PHASE 1A OF THE DEVELOPMENT AT LAUGHARNE PARK. PHASE 1A COMPRISES A TOTAL OF 24 LODGES, INCLUDING 21 REFURBISHED HOLIDAY LODGES AND 3 NEW HOLIDAY LODGES TO BE BUILT FOLLOWING THE DEMOLITION OF 2 EXISTING UNITS – Reserved Matters Granted – 19th June 2014

W/33838 - CONSTRUCTION OF TWO STOREY CLUBHOUSE BUILDING AND ASSOCIATED CAR PARK (PHASE B) (RESERVED MATTERS APPROVAL) - Reserved Matters Granted - 23rd November 2016

W/34559 - DEMOLITION OF THE HOLIDAYS UNITS AND ANCILLARY BUILDINGS – Conservation Area Consent Granted - 29th March 2017

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W/34546 - RESERVED MATTERS APPROVAL FOR THE FOLLOWING PHASES OF THE APPROVED OUTLINE APPLICATION W/33378. PHASE C - RECEPTION BUILDING, ASSOCIATED HOUSEKEEPING BLOCK AND SERVICE YARD. PHASE D1 - DEMOLITION OF THE BUILDING PREVIOUSLY KNOWN AS MARYS HOUSE AND CONSTRUCTION OF 6 HOLIDAY UNITS. PHASE D2 - DEMOLITION OF THE BUILDING PREVIOUSLY KNOWN AS HARBOUR BAR AND IMPLEMENTATION OF 3 HOLIDAY LODGES. PHASE E - IMPLEMENTATION OF 120 HOLIDAY LODGES – Reserved Matters Granted - 29th March 2017

Full Planning Permissions

W/34441 - NEW STONE CLADDING AND AMENDMENTS TO FENESTRATION OF HOLIDAY LODGE - 73/74 DYLAN'S DRIVE, LAUGHARNE PARK, CLIFF ROAD, LAUGHARNE, SA33 4SG – Full Planning Permission Granted - 21st September 2016

Planning Policy

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SP1 - Sustainable Places and Spaces

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EP2 - Pollution

TR3 - Highways in Developments – Design Considerations

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- Concern regarding the lack of construction detail and in particular road junctions and drainage issues.
- Environmental and heritage impact of the road.
- Concern that the tracks were constructed without the necessary planning permission in place first.
- Impact on trees.
- Burning of toxic waste.
- Works carried out at the main access to the site without planning permission.
- Concern that conditions on the existing planning permissions have not been complied with/discharged prior to the construction/occupation of the approved chalets.

Local Member(s) – Councillor Jane Tremlett has made no prior comment.

Cadw – No objection.

Dyfed Archaeological Trust – No objection.

Natural Resources Wales – No objection.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of a site notice. 3 letters of representation were received objecting to the development on the following grounds:-

- Impact upon the character and appearance of the countryside.
- Visual and landscape impact.
- Impact on nature conservation, loss of trees and hedgerows.
- Impact on residential amenity.
- Pressure on services and local roads.
- Impact on highway safety.
- Impact on a Scheduled Ancient Monument.
- Impact on Listed Buildings and Laugharne Conservation Area.
- Concern that the development of the tracks is to facilitate the further expansion of the holiday park.

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Appraisal

The main considerations of this case are whether there is justification for the development given its location within the countryside, its impact upon the countryside, landscape and nature conversation, pollution impacts, the impacts upon the living conditions of nearby residents, impact upon the historic environment and highway safety.

Impact upon Highway Safety

It was originally intended that the existing highway access serving the resort (off Cliff Road) would be used to access the site for construction and delivery purposes however this has now been surveyed and the subject of a transport route appraisal and is considered unsuitable due to its narrow width. Modelling of the existing access arrangement against the space requirements of the delivery vehicles, has determined that it is unfeasible for the construction vehicles to gain access via the originally planned route and this is supported by a temporary access route appraisal that has been submitted in support of the applications.

The proposed tracks are therefore deemed to be required to create alternative access arrangements to facilitate the delivery of the lodges. It is estimated that the lodges will be delivered at a rate of between 2 and 3 lodges per month during the off peak season between September and April each year. The tracks are required for a temporary period, specifically until the delivery of the final lodges which is anticipated in late 2029. The delivery of the first lodges commenced in September 2020 and 11 lodges were delivered between September 2020 and March 2021. A further 12 lodge deliveries were made between January and May 2022.

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The tracks have been constructed on existing agricultural land bisecting fields and resulting in the removal of sections of existing hedgerow within the Laugharne Special Landscape Area. Notwithstanding the above, the entire length of track is unable to be seen in its entirety from any public vantage points and there are sections which follow lines of previous agricultural tracks and hedgelines which does help to limit the landscape and visual impact.

The arboricultural impact assessment submitted with the application sets out where sections of hedgerow have been removed (approximately 17m), root protection areas have been breached and where new earth banks with hedgerow planting (approximately 685m comprising 2000 hawthorn plants and 1500 blackthorn plants) have been formed to offer some mitigation in terms of the habitat loss and landscape impacts that have resulted from the removed hedging. The assessment also contains a method statement and tree protection plan together with recommended conditions that are required to help reduce any tree and hedgerow impacts.

It is considered that whilst the development has resulted in adverse landscape and visual effects and ecological impacts, which have already, in part, been mitigated by the planting of new sections of hedgerow, it is considered that, on balance, the track is acceptable insofar as it is required for a temporary period and is not proposed to be a permanent feature. A condition will be included in any planning permission that requires a restoration scheme to be submitted to the Local Planning Authority prior to the end of the temporary period and following which the land is to be restored to its former condition in accordance with the restoration scheme.

The application is therefore considered to be acceptable having regard to Policy SP1, SP14, GP1, EQ4, EQ5 and EQ6.

Pollution Impacts

The application is supported by an Environmental Assessment carried out by Yellow Sub Geo which assesses impacts of the track upon the Taf Estuary Special Scientific Interest (SSSI) /Carmarthen Bay and Estuaries Special Area of Conservation (SAC) and in particular any pollution of controlled waters.

The report finds that there are no meaningful links between the tracks and the SSSI and SAC and as such the risks of pollution and impacts upon protected sites are therefore either very low or negligible. The report recommends that certain precautions are followed moving forward to ensure that this remains the case and as such the report will be included in the approved plans and documents condition to ensure that the recommendations are adhered to for the duration of the temporary period.

The proposal is therefore considered to accord with Policy GP1 and EP2 having regard to pollution impacts.

Living Conditions of Neighbouring Occupiers

The tracks have been constructed on agricultural land and the proposed access route, which is required to facilitate the movement of vehicles associated with the development, is not sited in such close proximity to neighbouring dwellings that there would be a significant adverse impact upon their living conditions. In addition the Delivery Management Plan submitted in support of the application states that the delivery of the lodges associated with the Dylan Coastal resort redevelopment is to take place at a controlled rate of approximately 2 – 3 per month between the months of September and April which would result in any adverse impacts being relatively infrequent and in any event any such impacts would cease at the end of the temporary period and when the development is completed. It is also considered that the alternative route through Laugharne and Victoria Street would have a greater impact on living conditions of the town's residents.

The proposed development is therefore considered to comply with the relevant criterion of Policy GP1 having regard to the amenity and living conditions of neighbouring occupiers.

Impact upon the Historic Environment

A Historic Environment Desk-Based Assessment produced by HCUK has been submitted in support of this application. This assessment concludes that it is possible that archaeological remains could have been exposed, damaged or destroyed by the works, but that the overall extent of this is relatively small. This southern section of track passes directly adjacent to the CM310 Delacorse Uchaf Standing stone, a scheduled ancient monument. The report considers the trackway to have had a slight negative impact on scheduled standing stones (CM054, CM143, CM146 and also CM310) but considers that this impact is not significant. Similarly, the report finds that there has been a negligible impact on Iron Age enclosure (CM232), medieval churches (CM280 and CM144) and Trefenty motte and bailey castle (CM144). The impact on the Registered Historic Landscape is also assessed to be negligible.

The report concludes that the access track does not have a significant impact on the setting of any scheduled ancient monuments and Cadw and Dyfed Archaeological Trust, who have also been consulted on the proposal concur with this assessment.

The Council's built heritage officers have also reviewed proposed and have commented that the proposed access track would not directly impact the setting of any listed building or the adjacent Laugharne Conservation Area and as such they have no adverse observations.

The application is therefore considered to accord with Policy SP13, GP1 and EQ1 of the Carmarthenshire Local Development Plan adopted December 2014.

Other Matters

There are a number of Public Rights of Way within the vicinity of this track development. However in terms of this southern section, the track meets the northern section of track at a point where it crosses the footpath (22/6). Concerns were raised during the early construction phase of the track that there had been unauthorised disturbance of the path surface creating trip hazards. The Council's Countryside Access team has been consulted regarding the proposed development and has since visited the site where they found that the initial complaints had been addressed by the applicant. A note is proposed to be included

in any planning permission granted drawing the applicant's attention to their legal obligations in respect of this footpath.

Concerns and objections raised by third parties and the Laugharne Township have largely been addressed in the preceding sections of the report and since these representations were received a number of supporting documents have been received from the applicant which seek to address the key issues associated with the proposed developments. However a number of the representations received raise concerns that the tracks are not intended to be temporary and are instead to facilitate the future expansion and development of the Dylan Coastal Resort. Each application must be considered on its own merits and in this case, the applications clearly state that the tracks are required for a temporary period and any planning permissions would contain conditions to this effect. Concerns raised regarding compliance with the existing planning permissions and any works outside these applications which are alleged to have been carried out without the necessary planning permissions would be a separate matter to be investigated by planning enforcement.

Concerns regarding the burning of toxic waste on or near the applications sites for the tracks is a matter for Public Protection as opposed to a material planning issue. The Council's Public Protection section has been consulted on the proposals and has raised no objection.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies. The recommendation is therefore one of approval subject to the below conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

The development hereby approved shall cease to be used and removed from the land in its entirety and the land shall be restored to its former condition on or before 31st December 2029 in accordance with a detailed restoration scheme of work submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this permission. The restoration scheme shall include full details of the restoration of the site including reinstatement of hedgelines, restoration of original field boundaries and full details of the removal of the surfaced area of the track and restoration of the land to original ground conditions.

Reason: Required to be imposed pursuant to Section 72 of the Town and Country Planning Act 1990 (as amended).

Condition 2

Any new planted or seeded elements implemented in accordance with the approved restoration scheme required by Condition 1 which, within 5 years are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

Reason: To ensure that the development reinstates existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5.

Condition 3

The development shall be carried out in accordance with the following approved plans and documents:

- Location Plan IL61676/01-006,
- Access Track Plan Southern Area IL61676/01-008, received 9th June 2020;
- Technical Note – Temporary Access Route Appraisal by GTS,
- Arboricultural Impact Assessment and Method Statement by Tree Consultants Wales,
- Environmental Assessment by Yellow Sub Geo, received 4th August 2021;
- Historic Environment Desk Based Assessment by HCUK group, received 16th August 2021;
- Delivery Management Plan by GTS, received 18th May 2022.

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

Only vehicles required to be used for the construction of the development known as the Dylan Coastal Resort as detailed in the Delivery Management Plan by GTS received 18 May 2022 and agricultural vehicles used in association with the agricultural holdings crossed by the tracks, shall utilise the tracks hereby approved.

Reason: In the interest of highway safety and residential amenity to accord with Policy GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 5

No further excavation shall take place nor materials be stored within the Root Protection Areas of any trees or hedgerows as identified within the Arboricultural Impact Assessment and Method Statement by Tree Consultants Wales received 4th August 2021.

Reason: To ensure that existing trees and landscape elements of suitable quality and condition are retained and effectively accommodated and protected as part of approved development in accordance policies SP1, SP14, GP1 and EQ5 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

Note 1

Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Note 2

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Note 3

The developer is advised that public footpath 22/6 crosses and abuts the development site. It is a legal requirement not to obstruct or encroach upon it, either during construction or at any time thereafter. Any alterations to the surface of the footpath will require approval from the Council and the developer is advised to contact the Countryside Access Team for further advice.

Application No	W/40561
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Application Type	Full planning permission
Proposal	Construction of the northern portion of a temporary access track required for a temporary period in connection with the implementation of the holiday lodge development as approved by outline planning permission W/24265 (as amended by W/28608 and W/33378) and Reserved Matters approvals W/30157, W/33838 and W/34546
Location	Land at Laugharne Park Estate, Cliff Road, Laugharne, SA33 4QP

Applicant(s)	Seasons Holidays Plc
Agent	Lichfields - Owain Nedin
Officer	Charlotte Greves
Ward	Laugharne Township (Historical)
Date of validation	12/05/2020

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and was received prior to the recent changes in the scheme of delegation approved in February 2022.

Site

The application relates to the northern section of the access track which has been constructed along agricultural paddocks on land to the north of the property known as Delacorse Uchaf which is located approximately 500m to the north west of the Dylan Coastal Resort development. This section of track takes a 90 degree turn into an agricultural field off the existing access to Delacorse Uchaf from the unclassified highway (the U6621). It extends northwards into this field before turning 90 degrees to extend eastwards as it passes through two hedgerows and crests the small hill. It then passes through a third hedge before immediately turning 90 degrees where it extends in a southerly direction again. Here it follows the existing hedgerow until it joins an existing stoned farm track that extends east from Delacorse Uchaf.

Separate applications have been submitted covering the remaining sections of access track which are referred to as the southern section (planning application reference W/40562) and western section (planning application reference PL/00296).

Proposal

Full planning permission is sought in retrospect for a section of access track which is required for a temporary period in order to facilitate the movement of HGV and construction related vehicles to gain access to the Dylan Coastal Resort development, and in particular for the delivery of lodges. These vehicles are required throughout the demolition and construction of the different phases of the development which have the benefit of existing planning permissions.

The lodges arrive pre-assembled and are not constructed on site and this section of track, together with two further sections of track which are the subject of planning applications PL/00296 and W/40562, are required to ensure sufficient turning space and road widths to allow for large delivery vehicles to access the relevant parts of the Dylan Coastal Resort.

The track has been constructed by stripping of topsoil along the alignment to a depth of approximately 250 mm to create the formation level, from which the road was then constructed. The topsoil was then exported to the road verge banked and battered on the high side and graded into the field together with the installation of appropriate drainage.

A geotextile membrane was placed on the formation layer prior to placement of any track construction material. It is stated that this was undertaken in order to facilitate the easy removal of the track once its useful and permitted life was complete. The road construction comprises a 200 mm thickness of sub-grade course placed on top of the geotextile membrane. A 150 mm thick capping wearing course of type 1 aggregate was then used to create the trafficable surface. The material used to create the layers of construction were sourced from hardcore already available on-site and comprised of both crushed stone and secondary aggregate.

The works to create the tracks were undertaken between late 2019 to mid 2020. The application is therefore entirely in retrospect. The applicant has advised that the tracks would only be required during the demolition and construction phase which it is anticipated would be completed in late 2029. Following that the tracks would be decommissioned.

Planning Site History

Whilst there is no relevant planning history relating to the specific application site, the development is linked to the extant planning permission at the Dylan Coastal Resort, the application details of which are set out below:

Outline Planning Permissions

W/24265 - DEVELOPMENT OF UP TO 212 HOLIDAY LODGES AND 48 SERVICED APARTMENTS (UP TO 26,529 SQM C1) AND UP TO 1709 SQM OF FLOORSPACE FOR ANCILLARY FACILITIES (A1,A3 AND D2) INCLUDING RECREATIONAL AND LEISURE FACILITIES - Outline Granted – 5th January 2012

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W/28608 - AMEND PLANNING CONDITION NUMBERS 2, 3, 5, 8, 9, 13, 14, 15, 21, 22 AND 25 TO FACILITATE THE PHASED SUBMISSION OF RESERVED MATTERS AND OTHER DETAILS; REMOVE CONDITIONS 1 AND 24 AND REVISE CONSTRUCTION PHASE PLAN ALL IN RELATION TO DEVELOPMENT OF UP TO 212 HOLIDAY LODGES AND 48 SERVICED APARTMENTS (UP TO 26,529 SQ M C1) AND UP TO 1,709 SQ M OF FLOOR SPACE FOR ANCILLARY FACILITIES (A1, A3 AND D2) INCLUDING RECREATION AND LEISURE FACILITIES (EXTANT PLANNING PERMISSION W/24265) - Variation of Planning Condition Granted - 12th September 2013

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The application is therefore considered to be acceptable having regard to Policy SP1, SP14, GP1, EQ4 and EQ5.

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The proposal is therefore considered to accord with Policy GP1 and EP2 having regard to pollution impacts.

Living Conditions of Neighbouring Occupiers

The tracks have been constructed on agricultural land and the proposed access route, which is required to facilitate the movement of vehicles associated with the development, is not sited in such close proximity to neighbouring dwellings that there would be a significant adverse impact upon their living conditions. In addition the Delivery Management Plan submitted in support of the application states that the delivery of the lodges associated with the Dylan Coastal resort redevelopment is to take place at a controlled rate of approximately 2 – 3 per month between the months of September and April which would result in any adverse impacts being relatively infrequent and in any event any such impacts would cease at the end of the temporary period and when the development is completed. It is also considered that the alternative route through Laugharne and Victoria Street would have a greater impact on living conditions of the town's residents.

The proposed development is therefore considered to comply with the relevant criterion of Policy GP1 having regard to the amenity and living conditions of neighbouring occupiers.

Impact upon the Historic Environment

A Historic Environment Desk-Based Assessment produced by HCUK has been submitted in support of this application. This assessment concludes that it is possible that archaeological remains could have been exposed, damaged or destroyed by the works, but that the overall extent of this is relatively small. The report considers the trackway to have had a slight negative impact on scheduled standing stones (CM054, CM143, CM146 and CM310) and a negligible impact on Iron Age enclosure (CM232), medieval churches (CM280 and CM144) and Trefenty motte and bailey castle (CM144). The impact on the Registered Historic Landscape is also assessed to be negligible.

The report concludes that the access track does not have a significant impact on the setting of any scheduled ancient monuments and Cadw and Dyfed Archaeological Trust, who have also been consulted on the proposal concur with this assessment.

The Council's built heritage officers have also reviewed proposed and have commented that the proposed access track would not directly impact the setting of any listed building or the adjacent Laugharne Conservation Area and as such they have no adverse observations.

The application is therefore considered to accord with Policy SP13, GP1 and EQ1 of the Carmarthenshire Local Development Plan adopted December 2014.

Other Matters

There are a number of Public Rights of Way within the vicinity of this track development. However in terms of this northern section, the track meets the southern section of track at a point where it then crosses the footpath (22/6). Concerns were raised during the early construction phase of the track that there had been unauthorised disturbance of the path surface creating trip hazards. The Council's Countryside Access team has been consulted regarding the proposed development and has since visited the site where they found that the initial complaints had been addressed by the applicant. A note is proposed be included

in any planning permission granted drawing the applicant's attention to their legal obligations in respect of this footpath.

Concerns and objections raised by third parties and the Laugharne Township have largely been addressed in the preceding sections of the report and since these representations were received a number of supporting documents have been received from the applicant which seek to address the key issues associated with the proposed developments. However a number of the representations received raise concerns that the tracks are not intended to be temporary and are instead to facilitate the future expansion and development of the Dylan Coastal Resort. Each application must be considered on its own merits and in this case, the applications clearly state that the tracks are required for a temporary period and any planning permissions would contain conditions to this effect. Concerns raised regarding compliance with the existing planning permissions and any works outside these applications which are alleged to have been carried out without the necessary planning permissions would be a separate matter to be investigated by planning enforcement.

Concerns regarding the burning of toxic waste on or near the applications sites for the tracks is a matter for Public Protection as opposed to a material planning issue. The Council's Public Protection section has been consulted on the proposals and has raised no objection.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance and for the reasons set out above that the proposed development accords with the relevant planning policies. The recommendation is therefore one of approval subject to the below conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

The development hereby approved shall cease to be used and removed from the land in its entirety and the land shall be restored to its former condition on or before 31st December 2029 in accordance with a detailed restoration scheme of work submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this permission. The restoration scheme shall include full details of the restoration of the site including reinstatement of hedgelines, restoration of original field boundaries and full details of the removal of the surfaced area of the track and restoration of the land to original ground conditions.

Reason: Required to be imposed pursuant to Section 72 of the Town and Country Planning Act 1990 (as amended).

Condition 2

Any new planted or seeded elements implemented in accordance with the approved restoration scheme required by Condition 1 which, within 5 years are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

Reason: To ensure that the development reinstates existing landscape or other features which contribute to local qualities and distinctiveness: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5.

Condition 3

The development shall be carried out in accordance with the following approved plans and documents:-

- Location Plan IL61676/01-007,
- Access Track Plan Northern Area IL61676/01-009, received 9th June 2020;

- Technical Note – Temporary Access Route Appraisal by GTS,
- Arboricultural Impact Assessment and Method Statement by Tree Consultants Wales,
- Environmental Assessment by Yellow Sub Geo, received 4th August 2021;

- Historic Environment Desk Based Assessment by HCUK group, received 16th August 2021;

- Delivery Management Plan by GTS, received 18th May 2022.

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 4

Only vehicles required to be used for the construction of the development known as the Dylan Coastal Resort as detailed in the Delivery Management Plan by GTS received 18th May 2022 and agricultural vehicles used in association with the agricultural holdings crossed by the tracks, shall utilise the tracks hereby approved.

Reason: In the interest of highway safety and residential amenity to accord with Policy GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 5

No further excavation shall take place nor materials be stored within the Root Protection Areas of any trees or hedgerows as identified within the Arboricultural Impact Assessment and Method Statement by Tree Consultants Wales received 4th August 2021.

Reason: To ensure that existing trees and landscape elements of suitable quality and condition are retained and effectively accommodated and protected as part of approved development in accordance policies SP1, SP14, GP1 and EQ5 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

Note 1

Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this permission will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Note 2

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Note 3

The developer is advised that public footpath 22/6 crosses and abuts the development site. It is a legal requirement not to obstruct or encroach upon it, either during construction or at any time thereafter. Any alterations to the surface of the footpath will require approval from the Council and the developer is advised to contact the Countryside Access Team for further advice.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	PL/04317
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Application Type	Full planning permission
Proposal	Local need dwelling
Location	Land adjacent to Pen Rhos, Llanelli, SA14 7HA

Applicant(s)	Tom Rogers
Agent	Ceri Davies
Officer	Eilian Jones
Ward	Gorslas
Date of validation	19/07/2022

Reason for Committee

This application is being reported to the Planning Committee at the request of the Local Members.

Site

The proposal comprises of a rectangular parcel of land fronting onto the C2222 public road. The land is relatively flat, albeit with a gentle slope from east to west and north to south respectively. The site is bounded on all four boundaries by trees/hedgerows, albeit with a section fronting the public road removed for access.

Prior to 2021, the land did not have an access and was covered in trees and vegetation. The land has been subject to recent enforcement investigation following the clearance of land, access works, the laying of hardstanding and the siting of a building comprising of shipping containers enclosed in a wooden structure by a member of the applicant's family in 2021. Based on a statement by the applicant's agent, the original intention was to acquire the site with a view of utilising it as a paddock for the keeping of horses.

The site is located outside any defined settlement limits and, as such, is considered to be in the countryside. The nearest settlement is Foelgastell which is approximately 650m away from the site and is severed by the A48 dual carriageway. Maesybont is the nearest settlement to the site which is on the same side of the A48 and is approximately 2.4km away.

Proposal

The application seeks consent for a new detached, two-storey dwelling and the change of use of the entire site to be used as residential curtilage associate with the new dwelling. The proposal is for a local needs dwelling and a supporting statement has been submitted outlining the rationale for the proposal and information relating to the circumstances of the applicant.

The dwelling would have an L-shaped footprint, with the main section being two-storeys and rectangular in shape and an attached single-storey rear wing. The dwelling would have a pitched roof and a relatively symmetrical appearance to its principal elevation that would face the public road. The dwelling would be positioned in the south-western corner of the site with the access, drive, parking and turning area located to the east. The remainder of the site would become private garden/amenity spaces. The existing buildings/containers on the site would be removed.

The floorplans indicate that the ground floor of the dwelling would comprise of a porch, large open plan kitchen/dining room, a study/office, sitting room, utility room, hallway and an attached garage. The first floor would comprise three bedrooms, two bathrooms and a changing room.

The plans indicate that the dwelling would have a floorspace of 164sqm. However, the garage is integral and considered to be part and parcel of fabric of the dwelling which should be included in its floorspace. As such, the total floorspace would equate to approximately 185sqm.

Planning Site History

None.

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

- SP1 - Sustainable Places and Spaces
- SP2 - Climate Change
- SP3 - Sustainable Distribution- Settlement Framework
- SP14 - Protection and Enhancement of the Natural Environment
- GP1 - Sustainability and High Quality Design
- GP2 - Development Limits
- GP3 - Planning Obligations
- AH2 - Affordable Housing – Exceptions Sites
- AH3 - Affordable Housing – Minor Settlement in the Open Countryside
- TR2 - Location of Development – Transport Considerations
- TR3 - Highways in Developments – Design Considerations
- EQ4 - Biodiversity

EQ5 - Corridors, Networks and Features of Distinctiveness
EP1 - Water Quality and Resources
EP2 - Pollution
EP3 - Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways - No objections subject to conditions.

Head of Public Protection - No objections subject to conditions.

Gorslas Community Council - No observations received to date.

Local Member - Councillor D. Price - Supports the proposal. Requests that the application is referred to the Planning Committee for determination for the following reasons:-

- This application has been submitted as a result of the applicant's current personal circumstances and the inability to secure a family home to meet his personal needs and that of his partner. The failure to find a suitable property within the community area or any adjoining community areas means that the applicant and his partner continue to reside in inadequate and unsuitable accommodation. It has been put to me that the only realistic alternative is the possibility of constructing a dwelling on this land.
- I believe that given the location of the application site and its proximity to other dwellings and commercial buildings, the site does not represent a remote form of development in the open countryside. Neighbouring buildings range from residential dwellings, businesses and commercial properties to industrial and agricultural buildings. There is clearly therefore built development in close proximity to the site.
- While the proposed development would inevitably change the character of the site itself, I do not believe that the proposed changes would result in an unacceptable impact on the surrounding landscape nor would they have an adverse impact on the existing neighbouring developments.
- I believe that the applicant meets the requirement for a genuine identified local need. Policy AH3 states that proposals for affordable housing for a single dwelling will also be permitted within 'groups of dwellings without Development Limits', and for those reasons I am supportive of the application.

Local Member - Councillor A.V. Owen - Supports the proposal. Requests that the application is referred to the Planning Committee for determination for the same reasons as Cllr. D. Price.

Sustainable Drainage Approval Body (SAB) – No objections to the proposal. Confirms that the site is not at flood risk and that separate drainage approval is required.

Natural Resources Wales – No objections subject to advisory notes.

Dwr Cymru/Welsh Water – No objections to the proposal.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of a site notice. One letter of support has been received.

All representations can be viewed in full on our [website](#).

Appraisal

The application seeks consent for a new detached, two-storey dwelling and the change of use of the entire site to be used as residential curtilage associated with the new dwelling. The proposal is for a local needs dwelling.

Paragraph 4.2.3 of Technical Advice Note 6 states that: “Planning authorities should ensure that the affordable housing provides for genuine local needs, is affordable in perpetuity, well designed and of the right scale”.

The site is located in the countryside where there is a presumption against new residential development. However, limited development can occur in very exceptional circumstances where there is clear, compelling and robust evidence-based justification in its support. The Authority will not set aside normal countryside protection policies lightly.

The case presented is primarily based on local needs and affordability. The principal policy applicable to the application is Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside. A local needs dwelling in the countryside is an exception to normally accepted forms of countryside development. The level of evidence to justify such development therefore must also be equally exceptional. In the consideration of applications for local needs, it is reasonable for the Authority to understand the applicant’s personal circumstances and to substantiate the claim concerning (un)affordability.

In terms of personal circumstances, the supporting statement which accompanies the application explains that the applicant is a professional rugby player, and along with his partner, currently resides with his parents in Cross Hands. The applicant’s intention is to start a young family and as such, the parental home is deemed unsuitable and is now seeking a long-term solution. It is claimed that due to rising house prices, the applicant’s ability to purchase a suitable property within his financial means is becoming increasingly difficult.

The applicant is from Cross Hands and the supporting statement has shown reasonable established links within the community, albeit not exclusively associated with either the nearest settlements of Foelgastell or Maesybont. The application site sits within the Gorslas ward and neighbours Llannon Ward which contains Cross Hands and the current home of the applicant. The applicant attended Maes y Gwendraeth secondary school which is within the Gorslas ward and has links to local rugby clubs.

The definition of local need is defined in the Glossary of Terms in the LDP. Having regard to the supporting statement which accompanied the application, it is concluded that the applicant would meet the definition of local need. However, this is only one aspect of Policy AH3 and the remaining fundamental components of this policy must be met and regard to any other relevant policies, guidelines and material planning considerations.

The applicant claims that he is unable to afford a suitable 3-bedroom property in the locality. Unfortunately, no evidence, in confidence, has been provided concerning the applicant's financial situation such as income/savings, including the occupation and income/savings of his partner. Furthermore, no additional evidence has been provided which could assist in the matter, such as demonstrating that he is on the Council's housing register and/or meets the eligibility criteria for assistance for low cost home ownership, and/or documents from banks/building societies of being unable to secure mortgages or loans when attempting to purchase a suitable dwelling in the area. Such information, which should not be regarded as an exhaustive list, is considered reasonable to enable the Authority to substantiate the claim of housing (un)affordability.

Based on the supporting statement, it is understood that a member of the applicant's family purchased the application site. The original intention was to acquire the site with a view of utilising it as a paddock for the keeping of horses. Unauthorised works have occurred on the site which has been subject to enforcement investigation and this application for residential development, is now before the Authority for consideration.

The statement does not disclose whether the site would be gifted to the applicant or would be subject to purchase costs. The applicant intends to use members of the family to assist in the construction of the dwelling to keep costs down although some works will be contacted to companies. The supporting statement explains that the applicant's budget is £180,000-£190,000. The application has not been supported with a viability appraisal to demonstrate how the overall cost of the project would be completed within the stated budget. The supporting statement simply claims a build cost of £1,200 per square metre. Based on this figure and with the floorspace of the dwelling being 164sqm, the statement explains that the cost would be approximately £196,800 but could be reduced to within the applicant's budget due to his father being a ground contractor. However, this floorspace has excluded the well-integrated attached garage which should be included in the total floorspace of the dwelling to approximately 185sqm. This would have a cost of approximately £222,000, far exceeding the applicant's budget.

The supporting statement claims that it has not been possible to secure a 3-bedroom dwelling within the local area on the applicant's budget. This has not been well-evidenced within this submission particularly with regards to the lack of information concerning the applicant's own personal financial circumstances and understanding of the local housing market.

The supporting statement has provided a list of detached and semi-detached properties for sale in the community of Llannon, Gorslas and neighbouring communities during the last 12 months prior to the submission of the application in July, all of which being outside the applicant's budget. The addresses of those properties have not been specifically provided, although the name of the estate agent has been disclosed.

Of properties within the applicant's budget, the supporting statement explains they were discounted due to being too small or needed to be extended or extensively renovated, which would have additional costs. These properties have not been specifically evidenced in the

statement to enable scrutiny by the Authority and comparison with Design Quality Standards set by Welsh Government.

In July, the Council's Valuer undertook an online search of 3-bedroomed properties currently available on the market within a 3 mile radius of the subject suite and found 10 being advertised for prices ranging from £125,000 - £200,000, ranging from ex-Council houses, traditional properties and new-build houses. The Council's Valuer also undertook an online search for building plots which are available within a 3 mile radius of the subject site. Several plots were available, some serviced with outline planning consent for single dwellings. With a budget of £190,000 and a build cost rate of £1,200 per sqm (as specified by the agent), it should be possible to build a 3 bedroomed property meeting Welsh Government's design quality standards for £111,600, which would leave circa £78,000 budget to purchase a plot within settlement limits being advertised as having the benefit of outline planning permission.

Having regard to the above, the evidence presented by the applicant with regards to matters of (un)affordability and the local housing market cannot be corroborated and, in some cases, contradicts the evidence of the Authority.

Policy AH3 of the LDP enables the development of affordable dwellings in areas without development limits but which are within settlements, hamlets and groups of dwellings where it is to meet a genuine identified local need. Although there are some properties within the site's general locality, these would not be categorised as either a settlement or a hamlet. The supporting statement contend that these should be considered a 'group of dwellings' for the purposes of the policy. However, following a review of the area and information provided by the applicant, it is considered that the dwellings within the locality of the application site are located some distance from the site both to the east and to the west. They are dispersed in a fragmented pattern some distance away from each other, not close enough to reasonably be considered a group of dwellings for the purposes of this policy. As such, it is considered that the location of the proposal does not meet this component of Policy AH3 of the LDP. Notwithstanding this, consideration has been given the remaining criteria of Policy AH3.

Criterion a) It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or, a minor extension which does not result in ribbon development or perpetuate existing ribbon development.

It is considered that the proposal would not represent infill development given the large distance between the nearest properties. The applicant's own supporting statement recognises that not all the existing dwellings are sited immediately adjacent to one another, and the gaps in the built form vary considerably. In this regard, there is approximately 90 metres separating the site and the curtilage of Pen Rhos to the West. To the east there is a vehicle restoration business which is closer to the site. However, it is secluded, and separated from the site by trees and vegetation with its access approximately 120m away. The site has no continuous built-up frontage but is largely characterised by rows of mature trees and hedgerows. Opposite the site's public road frontage are agricultural fields and field hedgerows which are largely continuous apart from the occasional field access.

It must be noted that access onto a classified road requires planning permission. Prior to 2021, the hedgerow fronting the site and the public road was continuous which would have reinforced the rural and spatial character of the area. The current gap within the hedgerow at the site frontage is unauthorised and does not have the benefit of planning permission.

With regards the second part of this criterion, it is considered that the site's distance from the nearest dwellings means it would not be sufficiently close to be considered an extension. At this location, the development of a new dwelling would create a fragmented pattern of development without a visual or appropriate spatial relationship to the existing built form of the nearest dwellings.

Having regard to the above, it is considered that the proposal does not satisfy criterion a) of Policy AH3 of the LDP.

Criterion b), c) and d) of Policy AH3 of the LDP are considered together since they are inextricably linked.

- b) It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;*
- c) The benefits of the initial affordability will be retained for all subsequent occupants;*
- d) It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.*

Regard is given the Welsh Government document "Welsh Development Quality Requirements 2021 – Creating Beautiful Homes and Places". This sets out the National minimum functional quality standards for new and rehabilitated general needs affordable homes. According to this document a 4 person/3 bedroom two-storey dwelling can be achieved with a floorspace of 88sqm. A 5 person/3 bedroom two-storey dwelling has a floorspace of 93sqm. In this regard, the proposed dwelling at 185sqm (inclusive of the integral garage), is double the floorspace standards set by Welsh Government for an affordable 3-bedroom unit.

A minor internal configuration of the floorplan of the proposed dwelling could enable the dressing/changing room on the first floor becoming a fourth bedroom as it of sufficient size to be considered as a habitable room. Furthermore, having regard to the pitch and size of the roof, it is likely that the loft of the dwelling could be converted to provide additional habitable space, albeit some controls could be imposed via the imposition of a condition removing permitted development rights. However, it is worth noting that the largest affordable dwelling specified in the Welsh Government document is 114sqm, which is suitable for 7 persons/4 bedrooms. The proposed dwelling significantly exceeds this standard as well.

Paragraph 4.2.4 of Technical Advice Note 6 states: "Whilst the price of the affordable home covers development costs, prices are well below market values. For this model to work planning authorities must ensure that properties constructed are affordable to the local community as a whole, not only the initial occupier, and requests to allow disposal on the open market (except where the mortgagee is in possession) resisted".

It is considered that the proposed dwelling is not of a size, scale, and design compatible with an affordable dwelling, and significant concerns are raised in terms of the final value of the property not being readily available or affordable to those on low or moderate incomes should the property be sold in the future. This is amplified by the excessively large residential curtilage that is proposed to accompany the affordable unit and is much larger than other properties in the locality. Such factors would also need to be considered in the valuation of the property and for it to be considered as a realistic affordable dwelling-unit. The Council's

Valuer has advised that the proposed dwelling is substantially larger than expected standards for an affordable unit and reinforces the concerns of the Local Planning Authority.

Whilst legal agreements are used to ensure properties are kept as affordable units of accommodation (criterion c), it would not be appropriate to do so if, from the outset, the dwelling under consideration far exceeds what could be afforded by subsequent and qualifying occupants. A legal agreement under such circumstances would be at significant risk of challenge on the basis that it can no longer fulfil its purpose, with the resultant effect being the establishment of private market dwelling in the countryside. This would be at odds to the fundamental planning principle of protecting the countryside from inappropriate development. On this related matter, the Planning Committee considered and refused an application in December 2021, to remove a condition and discharge the requirements of a legal agreement imposed on a local needs dwelling in Dryslwyn (PL/02533 refers). Under that application, the agent, who is the same agent associated with this application, asserted amongst several reasons, that the value of the property, even when applying the affordable housing discount, was still beyond the means of a qualifying person, thereby rendering the restrictive condition and legal agreement ineffective and unreasonable.

With regards to this latest application, by virtue of the unjustified size and scale of the proposed dwelling and curtilage as an affordable unit, and the subsequent concerns over its realistic prospect of being retained as an affordable unit in future, it is considered that the proposal would constitute inappropriate and intrusive rural development that would be harmful visual amenity, the character and appearance of the countryside and at odds with the principles of sustainable development. This would be contrary to criterion b), c) and d) of Policy AH3 and Policies SP1 and GP1 of the LDP.

Given the remote location of the dwelling, the proposal would not result in any unreasonable harm to the amenity of neighbours or future occupiers of the dwelling. The Head of Public Protection has not raised an objection to the proposal but has recommended conditions relating to contamination. This is on the basis of the site being in a coal mining area. However, the site is over 750m from the nearest recorded high risk area defined by the Coal Authority and, as such, it is considered unreasonable to impose this condition.

It is considered that the recent clearance of the land has resulted in the inner parts of the site being devoid of any significant trees or landscape feature and is currently largely maintained grass. There are however trees and hedgerows located on the periphery of the site and the site frontage which are considered important rural features. The proposed dwelling and associated access, drive, parking and turning area would be set-in from the boundaries and it is likely that it could be accommodate with further adverse effects to the remaining landscape features. The provision of tree and hedgerow protection measures and biodiversity/ecology enhancements could be controlled via conditions. This is considered sufficient to address the concerns of the Council's Arboriculture Officer. The proposed plans does not show the unauthorised building within the site, implying that it would be removed. A condition could be imposed to ensure its removal.

The applicant's statement refers to other sites and proposals for local needs and rural residential development across the County. These have been considered but do not override the fundamental principle that each application must be considered on their own merits. This is especially the case when considering local needs proposals given the unique circumstances of each applicant, the precise conditions of the housing market and values attributed to a very specific time and locality, together with consideration of the bespoke geographical context and constraints of each site.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal represents an unjustified development in the open countryside that is at odds with the policy objectives of the Local Development Plan.

RECOMMENDATION - Refusal

Conditions & Reasons

Reason 1

The site is located in the countryside where there is a presumption against new residential development unless in exceptional circumstances. The proposal is contrary to Policies SP1 and AH3 of the adopted Carmarthenshire Local Development Plan (2014) in that it has not been proven that the personal circumstances of the applicant (and their dependents) is exceptional, to substantiate the claim concerning the inability to afford a suitable and available dwelling in the locality and to justify the need for a new dwelling in the countryside.

Reason 2

The site is located in the countryside where there is a presumption against new residential development unless in exceptional circumstances. The proposal would result in a sporadic, fragmented and disjointed pattern of residential development that would be harmful to the rural character and appearance of the area. Furthermore, the excessive size, scale and design of the dwelling and related residential curtilage are not compatible with an affordable dwelling that would be available to low or moderate income groups. As such, it is considered that the proposal would constitute inappropriate and intrusive rural development that would be harmful to visual amenity, the character and appearance of the countryside and at odds with the principles of sustainable development, contrary to Policies SP1, SP14, GP1 and AH3 of the adopted Carmarthenshire Local Development Plan (2014).

PWYLLGOR CYNLLUNIO

DYDD IAU, 18 AWST 2022

PRESENNOL Cyngorydd W.T. Evans (Cadeirydd)

Cynghorwyr:

S.M. Allen
J.P. Jenkins
B.D.J. Phillips
D.E. Williams

J.M. Charles
A.C. Jones
E. Skinner

T. Davies
M.J.A. Lewis
G.B. Thomas

J.D. James
D. Owen
M. Thomas

Hefyd yn bresennol:

Y Cyngorydd N. Lewis, a fu'n annerch y Pwyllgor ynghylch Cais Cynllunio rhif PL/00832.

Hefyd yn bresennol:

R. Griffiths, Pennaeth Lle a Chynaliadwyedd
S. Murphy, Uwch-gyfreithiwr
J. Thomas, Uwch Swyddog Rheoli Datblygu (Aman Gwendraeth)
H. Rice, Uwch Swyddog Rheoli Datblygu
Z.A. Evans, Uwch-dechnegydd [Cyswllt Cynllunio]
E. Evans, Prif Swyddog Gwasanaethau Democrataidd
K. Evans, Swyddog Gwasanaethau Democrataidd Cynorthwyol
J. Owens, Swyddog Gwasanaethau Democrataidd [Cymerwr Cofnodion]
S. Rees, Cyfieithydd Ar Y Pryd

Rhith-Gyfarfod - 10.00 yb - 12.42 yp

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr M. Donoghue, N. Evans, K. Howell a R. Sparks.

2. DATGAN BUDDIANNAU PERSONOL

Ni chafwyd datganiadau o fuddiant personol.

3. PENDERFYNU AR GEISIADAU CYNLLUNIO

PENDERFYNWYD caniatáu'r ceisiadau cynllunio canlynol yn amodol ar yr amodau y manylwyd arnynt yn Adroddiad/Atodiad y Pennaeth Lle a Chynaliadwyedd a/neu y rhoddwyd gwybod amdanynt yn y cyfarfod:-

PL/00832	<p>Datblygiad tai ar gyfer hyd at 7 uned breswyl ar dir y tu ôl i Garth, Rhydargaeau, Caerfyrddin, SA32 7HY</p> <p>Daeth sylw i law a wrthwynebai'r cais, ac a ailbwysleisiai'r pwyntiau gwrthwynebu y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Lle a Chynaliadwyedd. Yn bennaf, roedd y pryderon yn ymwneud â'r datblygiad sylweddol yn yr ardal yn ystod y blynyddoedd diwethaf, y straen a roddwyd ar y ddarpariaeth addysg o fewn yr ardal a'r effaith niweidiol ar y Gymraeg. Yn ogystal, nodwyd materion yn ymwneud â'r orsaf bwmpio carthffosiaeth leol ac eiddo cyfagos yn colli preifatrwydd. Mynegwyd pryderon hefyd ynghylch diogelwch priffyrdd oherwydd agosrwydd y datblygiad arfaethedig i gyffordd ar ael bryn. O ran hyn, ystyriwyd y byddai'r datblygiad yn ychwanegu at y traffig sydd eisoes yn uchel ar yr A485, problemau gwelededd a cherbydau yn goryrru.</p> <p>Ymatebodd asiant yr ymgeisydd a'r Uwch-swyddog Rheoli Datblygu i'r materion a godwyd.</p> <p>Cafwyd sylw gan yr Aelod Lleol a ailadroddodd y pryderon a fynegwyd gan drigolion lleol fel y nodir yn adroddiad ysgrifenedig y Pennaeth Lle a Chynaliadwyedd ac a oedd yn ymwneud â materion diogelwch priffyrdd a achosir gan gerbydau sy'n gyrru'n gyflymach na'r terfyn cyflymder, ynghyd â cholli preifatrwydd, yn enwedig o ganlyniad i'r gofyniad i leihau llystyfiant o fewn eiddo cyfagos.</p> <p>Ymatebodd yr Uwch-swyddog Rheoli Datblygu i'r materion a godwyd wrth i'r adroddiad gael ei ystyried.</p>
PL/02491	<p>Newid defnydd o fod yn Fan Agored/Hamdden i fod yn Ddosbarthiad D1 ar gyfer y bwriad i adleoli History Shed Experience Community Interest Community i gynnwys adeiladu Adeilad Arddangos a swyddfeydd, pedwar bwthyn, dwy ysgubor bolion a tholedau cyhoeddus ar dir ger Maes Parcio oddi ar Stryd y Bont, (Tir yng Nglan yr Afon, ger Trinity Methodist Church), Cydweli, SA17 4UU.</p> <p>Daeth sylwadau i law a wrthwynebai'r cais, ac a ailbwysleisiai'r pwyntiau gwrthwynebu y manylwyd arnynt yn adroddiad ysgrifenedig y Pennaeth Lle a Chynaliadwyedd. Yn bennaf, roedd y pryderon yn ymwneud â cholli mannau agored cyhoeddus, problemau sŵn ac amddiffyn, y goblygiadau niweidiol ar fywiogrwydd tref, a'r materion hygyrchedd cysylltiedig o ganlyniad i'r ffaith bod angen y maes parcio ar gyfer trigolion oedrannus ac anabl.</p>

	<p>Cyfeiriwyd at y ffaith bod y tir yn destun cyfamod a'r effaith niweidiol ar ecoleg y safle a'r ardal yn rhinwedd y datblygiad a'r aflonyddwch y byddai'r datblygiad yn ei achosi.</p> <p>Mynegwyd hefyd nad oedd dogfennaeth y cais yn ddigonol, gyda mesuriadau arwynebedd llawr anghywir wedi'u nodi, a nodwyd bod angen gwybodaeth ychwanegol ar ffurf adroddiad ar yr effaith ar leoliad y castell a'r asedau hanesyddol dynodedig eraill, er mwyn gallu gwneud penderfyniad cytbwys. Hefyd, cyfeiriwyd at yr hyn yr ystyrid yn weithrediad gwael o broses ymgynghori'r Cyngor Tref.</p> <p>Ymatebodd asiant yr ymgeisydd a'r Uwch-swyddog Rheoli Datblygu i'r materion a godwyd.</p>
PL/04147	Cais am breswylfa ar wahân ar lain ger 1 Bay View, y Pwll, Llanelli, SA15 4BE

4. LLOFNODI YN GOFNOD CYWIR GOFNODION Y CYFARFOD A GYNHALIWDYD AR 28AIN GORFFENNAF 2022

PENDERFYNWYD llofnodi cofnodion cyfarfod y Pwyllgor oedd wedi ei gynnal ar 28 Gorffennaf, 2022 gan eu bod yn gywir.

CHAIR

DATE

Mae'r dudalen hon yn wag yn fwriadol